

PHYSICAL THERAPY LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 5/17/2019

BOARD MEMBERS PRESENT: Angela L Lippiello - Chair
M Andrew Mix
Mike D Bailey
Craig L Esplin
Glady Schroeder

BUREAU STAFF: Kelley Packer, Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Rob McQuade, Legal Counsel
Debbie Toncray, Board Specialist

OTHERS PRESENT: Mark Bengtson, PT

The meeting was called to order at 9:00 AM MDT by Angela L Lippiello.

APPROVAL OF MINUTES

Mr. Esplin made a motion to approve the minutes of 2/15/2019, 3/7/2019, and 3/26/2019. It was seconded by Ms. Schroeder. Motion carried.

LEGISLATIVE REPORT

Ms. Packer presented a legislative update. She explained the changes which will be made to the Board's applications and website for applicants who are active duty military, veterans, and their spouses as a result of H248 being signed into law.

Mr. McQuade updated the Board on the Red Tape Reduction Act and the Bureau's process to review each Board's rules over the next two years.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$247,160.90 as of 4/30/2019.

[INVESTIGATIVE REPORT](#)

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Bailey made a motion to approve the Bureau's recommendation and authorize closure in case I-PHT-2019-4. It was seconded by Ms. Schroeder. Motion carried.

Mr. Bailey made a motion to approve the termination of probation in case PHT-2016-9. It was seconded by Ms. Schroeder. Motion carried.

RECONSIDERATION OF BOARD DECISIONS

Mr. Crema discussed the reconsideration process with the Board. Mr. Esplin made a motion to delegate authority to the Board chair to review requests for reconsideration and to appoint a designee in their absence. It was seconded by Mr. Bailey. Motion carried.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

PROPOSED DRAFT OF RULES FOR FOREIGN-EDUCATED APPLICANTS

The Board reviewed the proposed language and agreed to have Mr. McQuade work with the Board chair and Mr. Mix on revisions and bring the revised proposed language to the next face-to-face meeting for the Board to review.

NEW BUSINESS

CORRESPONDENCE

FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT) COMMENT SUMMARY AND SATISFACTION REPORT AND PHYSICAL THERAPIST AND PHYSICAL THERAPIST ASSISTANT SCORE SUMMARIES

The Board reviewed correspondence from the FSBPT regarding candidates for exam and their comments along with reports of candidates' scores for previous exams. Mr. Esplin made a motion to have the Bureau keep such correspondence and reports on file but to not include them in future meetings. It was seconded by Ms. Schroeder. Motion carried.

FSBPT EXCELLENCE IN REGULATION AWARD NOMINATIONS

The Board reviewed correspondence from the FSBPT regarding possible nominations for jurisdictions to receive this award. The Board took no action.

CE QUESTION – READING JOURNAL ARTICLES

The Board reviewed correspondence from Mr. Arreguin with a Portland, Oregon physical therapy company regarding the award of continuing education hours for reading journal articles. Ms. Toncray said she recently responded to Mr. Arreguin regarding Rule 250 and the requirements for such CE activities. The Board decided not to take further action.

SCOPE OF PRACTICE QUESTION – SELLING SUPPLEMENTS AND ESSENTIAL OILS

The Board reviewed correspondence from Mr. Smith with the law firm of Hawley Troxell regarding the sale of supplements and essential oils in the office of a physical therapist. The Board agreed that it does not provide legal advice and such regulation is outside

its jurisdiction. Mr. Esplin made a motion to authorize Mr. Crema to draft a response for the Board chair to review and approve, and to have the Bureau send the response upon approval. It was seconded by Ms. Schroeder. Motion carried.

QUESTION REGARDING LAWS AND RULES

The Board reviewed correspondence from Mr. Esplin regarding the previous inclusion of wound care and debridement in the Board's rules. The Board agreed that wound care and debridement is within the scope of practice and is included in Idaho Code § 54-2203(10). The Board took no action.

CE COURSE APPLICATION FORM REVIEW

The Board reviewed its current CE course application form. The Board agreed to look at questions 10 through 16 and whether these questions are relevant to the form. The Bureau will make the changes and the Board will re-review the application form at its next face-to-face meeting.

EXECUTIVE SESSION

Mr. Mix made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Ms. Schroeder. The vote was: Ms. Lippiello, aye; Mr. Mix, aye; Mr. Bailey, aye; Mr. Esplin, aye; and Ms. Schroeder, aye. Motion carried.

Mr. Mix made a motion to come out of executive session. It was seconded by Mr. Bailey. The vote was: Ms. Lippiello, aye; Mr. Mix, aye; Mr. Bailey, aye; Mr. Esplin, aye; and Ms. Schroeder, aye. Motion carried.

TERMINATION OF SUSPENSION

Mr. Mix made a motion to approve the termination of suspension in case PHT-2017-2. It was seconded by Mr. Bailey. Motion carried.

OLD BUSINESS

CROSSWALK OF FSBPT AND IDAHO LAWS/RULES FOR BOARD ACTIONS AND DISCIPLINARY GUIDELINES

Mr. Mix reviewed the reference information regarding the correlation between FSBPT's remedial versus punitive actions and the Board's disciplinary actions. The Board agreed that the information is useful when reviewing disciplinary actions. Mr. Mix will make the Board's suggested revisions and bring a final copy to the next face-to-face meeting.

FSBPT CHANGES IN CONTINUING COMPETENCE

The Board reviewed correspondence from the FSBPT regarding FSBPT's decision to discontinue their CE tools of aPTitude, oPTion, and ProCert. The Board took no action.

EXECUTIVE SESSION

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Mr. Mix made a motion to come out of executive session. It was seconded by Ms. Schroeder. The vote was: Ms. Lippiello, aye; Mr. Mix, aye; Mr. Bailey, aye; Mr. Esplin, aye; and Ms. Schroeder, aye. Motion carried.

APPLICATIONS

Mr. Esplin made a motion to approve the following for examination:

Applicant ID 901154761

Applicant ID 901166146

It was seconded by Mr. Mix. Motion carried.

Mr. Esplin made a motion to approve the following for licensure:

PHYA-6423 Marjorie Estevez

It was seconded by Mr. Bailey. Motion carried.

Mr. Esplin made a motion to approve the following for examination pending receipt of additional information:

Applicant ID 901136695

It was seconded by Mr. Bailey. Motion carried.

Mr. Esplin made a motion to approve the following for examination pending receipt of additional information:

Applicant ID 901163677

It was seconded by Ms. Schroeder. Motion carried.

CE COURSES

The Board reviewed and approved the following CE courses:

CANCER REHABILITATION

GREAT SEMINARS AND BOOKS, INC

LIFESTYLE MEDICINE - LEARNING SERIES

ST. LUKES HEALTH SYSTEM

BAL-A-VIS-X

STARS / REHABILITATION

ACTIVE TREATMENT STRATEGIES IN CONCUSSION MANAGEMENT
ST LUKES - ELKS REHAB

**THE ROLE OF THE PRIMARY SPINE PRACTITIONER IN THE CLINICAL
MANAGEMENT OF THE LOWER QUARTER; CLINICAL DECISION MAKING,
INTERVENTION AND PATIENT MANAGEMENT**
CROSSOVER HEALTH MEDICAL

JOURNAL CLUB - STENOSING TENOSYNOVITIS
ST LUKES - ELKS REHAB

DEQUERVAINS TENOSYNOVITIS
ST LUKES - ELKS REHAB

**COMMON SPORT RELATED INJURY OF ELBOW, WRIST AND HAND:
ASSESSMENT AND MANAGEMENT**
ST LUKES - ELKS REHAB

NEURODYNAMICS: A SPECTRUM (EMPHASIS LOWER QUADRANT)
ST LUKES - ELKS REHAB

FMT PERFORMANCE
ROCKTAPE

FMT BASIC
ROCKTAPE

NEXT MEETINGS were scheduled for:

9/5/2019 at 1:15 PM MDT – conference call

9/26/2019 at 1:15 PM MDT – conference call

11/15/2019 at 9:00 AM MST – face-to-face meeting

ADJOURNMENT

Mr. Mix made a motion to adjourn the meeting at 1:55 PM MDT. It was seconded by Mr. Bailey. Motion carried.

Angela L Lippiello, Chair

M Andrew Mix

Mike D Bailey

Craig L Esplin

Gladys Schroeder

Kelley Packer, Bureau Chief